

COHEN & FITCH LLP COHEN & FITCH LLP
U S DISTRICT COURT EASTERN DISTRICT STATE OF NEW YORK

DAVID SOLL

PLAINTIFF

index No. CV11-2143
Date Filed

THE CITY OF NEW YORK, ETAL

DEFENDANT

Office No.
Court Date.

STATE OF NEW YORK, COUNTY OF NEW YORK :SS:

GERALD K. MURRAY being duly sworn, deposes and says; I am over 18 years of age, not a party to this action, and reside in the State of New York. That on the 21ST day of MAY, 2011 11:30 AM at

%63RD PCT 1844 BROOKLYN AVE
BROOKLYN NY 11210

I served the SUMMONS AND COMPLAINT, CIVIL COVER SHEET
upon P.O. TERRANCE SMALLS TAX ID 939481

the DEFENDANT therein named by delivering and leaving a true copy or copies of the
aforementioned documents with P.O. (JOHN) ARROYO, CO-WORKER WHO REFUSED TRUE FIRST NAME
a person of suitable age and discretion.

Deponent describes the person served as aforesaid to the best of
deponent's ability at the time and circumstances of the service as follows.

SEX: MALE COLOR: TAN HAIR: BLACK
APP.AGE: 35 APP. HT: 5/8 APP. WT: 170
OTHER IDENTIFYING FEATURES
MUSTACHE & BEARD

On 05/24/2011 I deposited in the United States mail another true copy of the aforementioned
documents properly enclosed and sealed in a post-paid wrapper addressed to the said
DEFENDANT at the above address. That being
the place of business of the DEFENDANT.

Copy mailed 1st class mail marked personal and confidential not indicating on the outside
thereof by return address or otherwise that said notice is from an attorney or concerns an
action against the person to be served.

COMMENTS:

That at the time of service, as aforesaid, I asked the person spoken to whether the
DEFENDANT was in the military service of the United States Government, or of the State of
New York, and received a negative reply. Upon information and belief based upon the
conversation and observation as aforesaid I aver that the DEFENDANT is not in the military
service, and is not dependent on anyone in the military service of the United States
Government or the State of New York, as that term is defined in statutes of the State of New
York, or of the Federal Soldiers and Sailors Civilian Relief Act.

Sworn to before me this
24TH day of MAY, 2011

JOEL GOLUB
Notary Public, NASSAU COUNTY
01G04751136
Qualified in NASSAU COUNTY
Commission Expires 12/31/2013

GERALD K. MURRAY 0872285
AETNA JUDICIAL SERVICE INC
225 BROADWAY, SUITE 1802
NEW YORK, NY, 10007
Reference No: 3-CF-141617